

the USA Today editorial said, because I think it sums it up beautifully and it doesn't come up with the same conclusion that the Senator from Texas, Mr. GRAMM, comes up with. It comes up with another conclusion, and that is, "Industry's effort to avoid paying full fees hurts taxpayers and others."

Since 1920 when Congress passed the Mineral Leasing Act, the MMS has been acting to set the rules that guide the payments of royalties. So, now, all of a sudden we have a move to say this is wrong. I think is kind of interesting, all of a sudden it is wrong, something that has been in place since 1920. This is what the MMS is supposed to do. So I think this editorial really says it.

Imagine being able to compute your own rent payments and grocery bills, giving yourself a 3 percent to 10 percent discount off the market price. Over time, that would add up to really big bucks. And imagine having the political clout to make sure that nothing threatened to change that cozy arrangement.

And they basically say, "Taxpayers have been getting the unfair end of this deal for far too long."

Mr. President, I say to Senators, we have an opportunity to end this cozy deal today. I know some of my colleagues feel they need more time, they want to work on a more fair way to collect these royalties. I cannot imagine, as someone who knows supply and demand—I am an economics major, I was a stockbroker—it is pretty simple. You have the market price. Pay the royalty based on the market price. This is a capitalistic system. We do not have industry executives sitting in and deciding what the market price is in the dead of night in the back of their corporate headquarters. These 5 percent of oil companies, the oil giants, are the ones who are getting away with thievery. Let's end it now. Support this amendment.

I yield the floor.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Mr. President, has all time now been used on this amendment?

The PRESIDING OFFICER. All but 8 seconds.

Mr. GORTON. We yield back that 8 seconds.

What now is the order before the Senate?

The PRESIDING OFFICER. The amendment is set aside until 5:50, at which time there will be 10 minutes equally divided between the parties for debate.

#### AMENDMENT NO. 3581

Mr. GORTON. Then what is the matter before the Senate at this point?

The PRESIDING OFFICER. The matter before the Senate at this time is the Daschle amendment to S. 2237.

Mr. DASCHLE addressed the Chair.

#### QUORUM CALL

Mr. GORTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. GORTON. Objection.

The PRESIDING OFFICER (Mr. THOMAS). Objection is heard.

The assistant legislative clerk continued to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DORGAN. Mr. President, I object.

The PRESIDING OFFICER (Mr. SANTORUM). Objection is heard.

The legislative clerk resumed the call of the roll and the following Senators entered the Chamber and answered to their names:

#### [Quorum No. 3]

Allard	Frist	Leahy
Ashcroft	Gorton	Lott
Baucus	Gramm	Lugar
Bond	Gregg	McCain
Boxer	Hagel	McConnell
Burns	Harkin	Mikulski
Conrad	Hutchinson	Murkowski
Craig	Inhofe	Reed
Daschle	Jeffords	Roberts
Domenici	Kempthorne	Santorum
Dorgan	Kennedy	Smith (OR)
Faircloth	Kyl	Warner

The PRESIDING OFFICER. A quorum is not present. The clerk will call the names of absent Senators.

Mr. LOTT. Mr. President, I move to instruct the Sergeant at Arms to request the attendance of absent Senators.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Alabama (Mr. SESSIONS), and the Senator from Alabama (Mr. SHELBY) are necessarily absent.

Mr. FORD. I announce that the Senator from Arkansas (Mr. BUMPERS) and the Senator from South Carolina (Mr. HOLLINGS) are necessarily absent.

The PRESIDING OFFICER (Mr. INHOFE). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 94, nays 1, as follows:

#### [Rollcall Vote No. 270 Leg.]

#### YEAS—94

Abraham	Bond	Cleland
Akaka	Boxer	Coats
Allard	Brownback	Cochran
Ashcroft	Bryan	Collins
Baucus	Burns	Conrad
Bennett	Byrd	Coverdell
Biden	Campbell	Craig
Bingaman	Chafee	D'Amato

Daschle	Inhofe	Murray
DeWine	Inouye	Nickles
Dodd	Jeffords	Reed
Domenici	Johnson	Reid
Dorgan	Kempthorne	Robb
Durbin	Kennedy	Roberts
Enzi	Kerrey	Rockefeller
Faircloth	Kerry	Roth
Feingold	Kohl	Santorum
Feinstein	Kyl	Sarbanes
Ford	Landrieu	Smith (NH)
Frist	Lautenberg	Smith (OR)
Glenn	Leahy	Snowe
Gorton	Levin	Specter
Graham	Lieberman	Stevens
Gramm	Lott	Thomas
Grams	Lugar	Thompson
Grassley	Mack	Thurmond
Gregg	McCain	Torricelli
Hagel	McConnell	Warner
Harkin	Mikulski	Wellstone
Hatch	Moseley-Braun	Wyden
Hutchinson	Moynihan	
Hutchison	Murkowski	

#### NAYS—1

Breaux

#### NOT VOTING—5

Bumpers	Hollings	Shelby
Helms	Sessions	

The motion was agreed to.

The PRESIDING OFFICER. With the addition of Senators voting who did not answer the quorum call, a quorum is now present.

The majority leader.

#### DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

The Senate continued with the consideration of the bill.

Mr. LOTT. Mr. President, the Senate has been on this Interior bill now for 6 session days and has not really scratched the surface of the bill. This is the 11th appropriations bill that the Senate has considered in preparation for the end of the fiscal year, which is September 30.

Members will recall last week we spent most of our time on the campaign finance reform issue. This week there have been farm amendments as well as other amendments that are unrelated to Interior that are waiting in the wings. It looks like it will be very hard to keep focused on the Interior appropriations bill itself and get it completed. And, of course, that will affect the next two appropriations bills.

#### AMENDMENT NO. 3581

I offered a consent agreement to debate the pending amendment for 2 hours. That is the amendment that Senator DASCHLE offered, with no action occurring, and then lay aside the amendment to consider a Kempthorne amendment relative to the Endangered Species Act. I understand some discussions are still going back and forth on the ESA amendment. That agreement has not been worked out and there are various reasons that it has been objected to.

Therefore, I ask for the yeas and nays on the pending amendment, 3581.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

CHILD CUSTODY PROTECTION  
ACT—MOTION TO PROCEED

Mr. LOTT. I now call for regular order with respect to the child custody bill.

The PRESIDING OFFICER. Pending is a motion to proceed postcloture.

Is there further debate?

Mr. LOTT. Mr. President, our manager is on his way to proceed with this.

## QUORUM CALL

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. GORTON. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk continued with the call of the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. GORTON. Objection.

The PRESIDING OFFICER (Ms. COLLINS). Objection is heard. The clerk will continue the call of the roll.

The assistant legislative clerk continued with the call of the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. GORTON. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued with the call of the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FAIRCLOTH). In the Chair's capacity as the Senator from North Carolina, I object.

The legislative clerk continued with the call of the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. DORGAN. Mr. President, I object.

The PRESIDING OFFICER (Mr. BENNETT). The Senator objects to the quorum call being rescinded?

Mr. DORGAN. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to call the roll.

The assistant legislative clerk continued with the call of the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 4]

Abraham	Campbell	Enzi
Akaka	Chafee	Faircloth
Baucus	Coats	Feingold
Bennett	Collins	Ford
Boxer	Daschle	Frist
Breaux	Dodd	Gorton
Bryan	Dorgan	Gramm
Byrd	Durbin	Gregg

Hagel	Kerry	Rockefeller
Harkin	Lautenberg	Roth
Inhofe	Leahy	Santorum
Inouye	Lott	Specter
Kempthorne	Mack	Stevens
Kennedy	Reed	Torricelli

The PRESIDING OFFICER. A quorum is not present. The clerk will call the names of absent Senators.

Mr. LOTT. Mr. President, I move to instruct the Sergeant at Arms to request the attendance of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina (Mr. HOLINGS) is necessarily absent.

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 271 Leg.]

YEAS—97

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Ford	McConnell
Ashcroft	Frist	Mikulski
Baucus	Glenn	Moseley-Braun
Bennett	Gorton	Moynihan
Biden	Graham	Murkowski
Bingaman	Gramm	Murray
Bond	Grams	Nickles
Boxer	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Hagel	Robb
Chafee	Harkin	Roberts
Bumpers	Hatch	Rockefeller
Burns	Byrd	Roth
Byrd	Hutchinson	Santorum
Campbell	Hutchison	Sarbanes
Chafee	Inhofe	Sessions
Cleland	Inouye	Shelby
Coats	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kempthorne	Snowe
Conrad	Kennedy	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
D'Amato	Kohl	Thompson
Daschle	Kyl	Thurmond
DeWine	Landrieu	Torricelli
Dodd	Lautenberg	Warner
Domenici	Leahy	Wellstone
Dorgan	Levin	Wyden
Durbin	Lieberman	
Enzi	Lott	
Faircloth	Lugar	

NAYS—1

Breaux

NOT VOTING—2

Helms

Hollings

The motion was agreed to.

## MORNING BUSINESS

(During today's session of the Senate, the following morning business was transacted.)

SUPERFUND RECYCLING EQUITY  
ACT

Mr. LOTT. Mr. President, over the past three decades, concern for our en-

vironment and natural resources has grown—as has the desire to recycle and reuse. You may be surprised to learn that one major environmental statute actually creates an impediment to recycling. Superfund has created this impediment, although unintended by the law's authors.

Because of the harm that is being done to the recycling effort by the unintended consequence of law, the distinguished Minority Leader, Mr. DASCHLE, and I introduced The Superfund Recycling Equity Act (S. 2180). This bill removes Superfund's recycling impediments and increases America's recycling rates.

We had one and only one purpose in introducing the Superfund Recycling Equity Act—to remove from the liability loop those who collect and ship recyclables to a third party site. The bill is not intended to plow new Superfund ground, nor is it intended to revamp existing Superfund law. That task is appropriately left to comprehensive reform, a goal that I hope is achievable in the 106th Congress.

While the bill proposes to amend Superfund, Mr. President, it is really a recycling bill. Recycling is not disposal and shipping for recycling is not arranging for disposal—it is a relatively simple clarification, but one that is necessary to maintain a successful recycling effort nationwide. Without this clarification, America will continue to fall short of its recycling goal.

S. 2180 was negotiated in 1993 between representatives of the industry that recycles traditional materials—paper, glass, plastic, metals, textiles and rubber—and representatives of the Environmental Protection Agency, the Department of Justice, and the national environmental community. Similar language has been included in virtually every comprehensive Superfund bill since 1994. In fact, the original agreement, upon which the bill is based, has remained intact for five years. With over 40 Senate cosponsors, support for the bill has been both extensive and bipartisan. The companion House bill has almost 300 co-sponsors.

Mr. President, since Senator DASCHLE and I introduced S. 2180, some have argued that we should not “piece-meal” Superfund. They argue that every part of Superfund should be held together tightly, until a comprehensive approach to reauthorization is found.

I generally agree that keeping popular, non-controversial provisions in an omnibus bill makes the more controversial provisions easier to swallow. And given the broad-based support for the recycling piece across both parties, some think it should be held as a “sweetener” for some of the more difficult issues. Superfund's five-year history suggests, however, that the recycling provisions—as sweet as they are—have done little, if anything, to help move a comprehensive Superfund bill forward. Rather, “sweeteners” like brownfields and municipal liability are what keep all parties at the table.